

576

**PATENT**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the **PATENT APPLICATION** of:

Ozluturk et al.

**Application No.:** 09/742,990

**Confirmation No.:** 8796

**Filed:** December 21, 2000

**For:** SYSTEM FOR USING RAPID  
ACQUISITION SPREADING CODES FOR  
SPREAD-SPECTRUM COMMUNICATIONS

**Group:** 2661

**Examiner:** Not Yet Known

**Our File:** I-2-91.8US

**Date:** September 10, 2001

**COMMUNICATION IN RESPONSE TO  
NOTICE TO FILE MISSING PARTS OF NON-PROVISIONAL APPLICATION**

BOX MISSING PARTS  
Commissioner for Patents  
Washington, D.C. 20231

Sir:

In response to the Notice to File Missing Parts of Non-Provisional Application mailed from the Office on April 10, 2001, the following are enclosed:

1. Copy of Notice to File Missing Parts of Non-Provisional Application;
2. Two Original Declarations for Utility or Design Patent Application;
3. A Petition for Extension of Time;

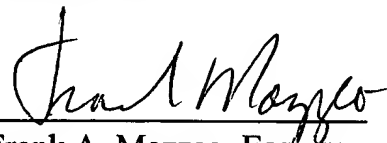
**Applicant:** Ozluturk et al.  
**Application No.:** 09/742,990

4. Request for Corrected Filing Receipt; and
5. Second Preliminary Amendment.

If there are any questions regarding the enclosed information, it is respectfully requested that the undersigned be contacted.

Respectfully submitted,

Ozluturk et al.

By   
Frank A. Mazzeo, Esquire  
Registration No. 46,259  
(215) 568-6400

Volpe and Koenig, P.C.  
Suite 400, One Penn Center  
1617 John F. Kennedy Boulevard  
Philadelphia, PA 19103

FAM/ns  
Enclosures



Record

Please type a plus sign (+) inside this box → ☐

PTO/SB/21 (08-00)  
Approved for use through 10/31/2002. OMB 0651-0031  
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE  
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>TRANSMITTAL FORM</b> <i>(to be used for all correspondence after initial filing)</i>	<b>Application Number</b>	09/742,990	
	<b>Filing Date</b>	December 21, 2001	
	<b>First Named Inventor</b>	Ozluturk et al.	
	<b>Group Art Unit</b>	2661	
	<b>Examiner Name</b>	Not Yet Known	
<b>Total Number of Pages in This Submission</b>	25	<b>Attorney Docket Number</b>	I-2-91.8US

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input checked="" type="checkbox"/> Response to Missing Parts/Incomplete Application <input checked="" type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Second Preliminary Amendment and Request for Corrected Filing Receipt
<b>Remarks</b>		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm or Individual name	FRANK A. MAZZEO, ESQUIRE Volpe and Koenig, P.C.	Reg. No. 46,259
Signature		
Date	September 10, 2001	

CERTIFICATE OF MAILING			
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: BOX MISSING PARTS, Commissioner for Patents, Washington, DC 20231 on this date: <u>September 10, 2001</u>			
Typed or printed name	FRANK A. MAZZEO, ESQUIRE		
Signature		Date	September 10, 2001

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



Volpe and Koenig, P.C. Revision of

PTO/SB/17 (11-00)

Approved for use through 10/31/2002. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

# FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT

(\$ 1,020

**Complete if Known**

Application Number	09/742,990
Filing Date	December 21, 2000
First Named Inventor	Ozluturk et al.
Examiner Name	Not Yet Known
Group Art Unit	2661
Attorney Docket No.	I-2-91.8US

**METHOD OF PAYMENT**

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number **09-0435**  
Deposit Account Name **InterDigital Comm. Corp.**

- ☒ Charge Any Deficiency or Credit any Overpayment in the Total Fees Associated with this Communication

☐ Applicant claims small entity status.  
See 37 CFR 1.27

2. ☐ Payment Enclosed:

☐ Check ☐ Credit card ☐ Money Order ☐ Other

**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity Code (\$)	Small Entity Code (\$)	Fee Description	Fee Paid
101 710	201 355	Utility filing fee	
106 320	206 160	Design filing fee	
107 490	207 245	Plant filing fee	
108 710	208 355	Reissue filing fee	
114 150	214 75	Provisional filing fee	

SUBTOTAL (1) (\$ 0

**2. EXTRA CLAIM FEES**

Total Claims	Extra Claims	Fee from below	Fee Paid
Independent Claims			
Multiple Dependent			

Large Entity Code (\$)	Small Entity Code (\$)	Fee Description
103 18	203 9	Claims in excess of 20
102 80	202 40	Independent claims in excess of 3
104 270	204 135	Multiple dependent claim, if not paid
109 80	209 40	** Reissue independent claims over original patent
110 18	210 9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$ 0

\*\*or number previously paid, if greater; For Reissues, see above

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
105 130	205 65	Surcharge - late filing fee or oath	130
127 50	227 25	Surcharge - late provisional filing fee or cover sheet	
139 130	139 130	Non-English specification	
147 2,520	147 2,520	For filing a request for <i>ex parte</i> reexamination	
112 920*	112 920*	Requesting publication of SIR prior to Examiner action	
113 1,840*	113 1,840*	Requesting publication of SIR after Examiner action	
115 110	215 55	Extension for reply within first month	
116 390	216 195	Extension for reply within second month	
117 890	217 445	Extension for reply within third month	890
118 1,390	218 695	Extension for reply within fourth month	
128 1,890	228 945	Extension for reply within fifth month	
119 310	219 155	Notice of Appeal	
120 310	220 155	Filing a brief in support of an appeal	
121 270	221 135	Request for oral hearing	
138 1,510	138 1,510	Petition to institute a public use proceeding	
140 110	240 55	Petition to revive - unavoidable	
141 1,240	241 620	Petition to revive - unintentional	
142 1,240	242 620	Utility issue fee (or reissue)	
143 440	243 220	Design issue fee	
144 600	244 300	Plant issue fee	
122 130	122 130	Petitions to the Commissioner	
123 50	123 50	Processing fee under 37 CFR 1.17(q)	
126 180	126 180	Submission of Information Disclosure Stmt	
581 40	581 40	Recording each patent assignment per property (times number of properties)	
146 710	246 355	Filing a submission after final rejection (37 CFR § 1.129(a))	
149 710	249 355	For each additional invention to be examined (37 CFR § 1.129(b))	
179 710	279 355	Request for Continued Examination (RCE)	
169 900	169 900	Request for expedited examination of a design application	

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

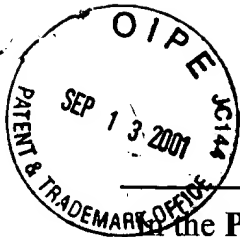
SUBTOTAL (3) (\$ 1,020

**SUBMITTED BY**

Name (Print/Type)	FRANK A MAZZEO, ESQUIRE	Registration No. (Attorney/Agent)	46,259	Telephone	215-568-6400
Signature		Date	September 10, 2001		

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



#5  
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

the **PATENT APPLICATION** of:

Ozluturk et al.

Our File: I-2-91.8US

**Application No.:** 09/742,990

Date: September 10, 2001

**Filed:** December 21, 2000

For: SYSTEM FOR USING RAPID ACQUISITION  
SPREADING CODES FOR SPREAD-SPECTRUM  
COMMUNICATIONS

**Group:** 2661

**Examiner:** Not Yet Known

**REQUEST FOR CORRECTED FILING RECEIPT**

BOX MISSING PARTS  
Commissioner for Patents  
Washington, D.C. 20231

Sir:

Enclosed is a marked-up copy of the filing receipt for the above-identified patent application. Upon proofing, it was noted that the filing receipt was incorrect. There are several changes that need to be made.

With respect to the listed inventors, delete the balance of the list after "Gary R. Lomp, Centerport, NY."

With respect to the Domestic Priority data, please make the following corrections:

On line 3, replace "IS A CIP" with --CLAIMS BENEFIT--;

Delete lines 5, 6 and 7;

Delete line 13 and insert therefor:

--THIS APPLICATION 09/742,990

IS A CIP OF 09/354,042 07/15/1999

WHICH IS A CON OF 08/671,067 06/27/1996 PAT 5,953,346--;

Delete the last line and insert therefor:

--IS A CIP OF 09/129,850 08/06/1998 ABN

WHICH IS A CON OF 08/670,160 06/27/1996

THIS APPLICATION 09/742,990

IS A CON OF 09/079,600 05/15/1998

WHICH IS A CON OF 08/671,221 06/27/1996 PAT 5,754,803--.

With respect to the Title, replace "spread-spectrum" with --spread-spectrum--.

Applicants respectfully request that a corrected Filing Receipt be issued.

Respectfully submitted,

Ozluturk et al.

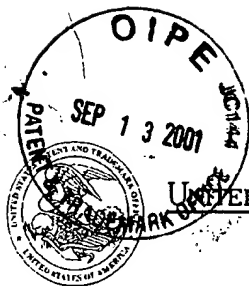
By



Frank A. Mazzeo, Esquire  
Registration No. 46,259  
(215) 568-6400

Volpe and Koenig, P.C.  
Suite 400, One Penn Center  
1617 John F. Kennedy Boulevard  
Philadelphia, PA 19103

FAM/ns  
Enclosure



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/742,990	12/21/2000	2661	710	1-2-91.8US	90	6	1

CONFIRMATION NO. 8796

## REPLACEMENT FILING RECEIPT



\*OC000000006049375\*

24374

VOLPE AND KOENIG, PC

DEPT ICC

SUITE 400, ONE PENN CENTER

1617 JOHN F. KENNEDY BOULEVARD

PHILADELPHIA, PA 19103

RECEIVED

AM/PM

MAY 14 2001

Date Mailed: 05/07/2001

VOLPE &amp; KOENIG, P.C.

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

## Applicant(s)

Fatih M. Ozluturk, Port Washington, NY;  
Gary R. Lomp, Centerport, NY;  
John Kowalski, Hempstead, NY;  
Avi Silverberg, Commack, NY;  
Robert T. Regis, Huntington, NY;  
Michael Luddy, Bayville, NY;  
Alexander Marra, New York, NY;  
Alexander Jacques, Mineola, NY;  
John W. Haim, Baldwin, NY.

## Domestic Priority data as claimed by applicant

THIS APPLICATION IS A CIP OF 08/956,740 10/23/1997 PAT 6,215,778  
WHICH IS A CON OF 08/669,775 06/27/1996 PAT 5,799,010

CLAIMS BENEFIT WHICH IS A CIP OF 60/000,775 06/30/1995

THIS APPLICATION 09/742,990

IS A CIP OF 09/354,042 07/15/1999

WHICH IS A CON OF 08/671,067 06/27/1996 PAT 5,953,346

AND SAID 60/000,775 06/30/1995

IS A CIP OF 09/003,104 01/06/1998 PAT 6,181,949

WHICH IS A CON OF 08/670,162 06/27/1996 PAT 5,841,768

THIS APPLICATION 09/742,990

IS A CIP OF 09/304,286 05/03/1999

WHICH IS A CON OF 08/671,068 06/27/1996 PAT 5,940,382

WHICH IS A CON OF 08/671,067 06/27/1996 PAT 5,953,346

THIS APPLICATION 09/742,990

IS A CIP OF 09/354,042 07/15/1999

DOCKETED FOR

6/13/01 Request for corrected  
filing receipt

WHICH IS A CON OF 08/671,067 06/27/1996 PAT 5,953,346  
THIS APPLICATION 09/742,990  
~~IS A CON OF 08/670,162 06/27/1996 PAT 5,841,768~~

**Foreign Applications**

If Required, Foreign Filing License Granted 04/10/2001

Projected Publication Date: To Be Determined - pending completion of Missing Parts

Non-Publication Request: No

Early Publication Request: No

**Title**

spread-spectrum  
System for using rapid acquisition spreading codes for spread-spectrum communications

**Preliminary Class**

370

Data entry by : BURSE, JANICE

Team : OIPE

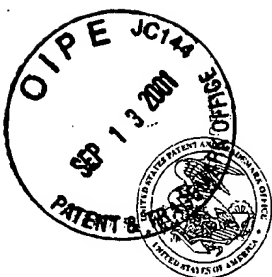
Date: 05/07/2001



IS A CIP OF 09/129,850 08/06/1998 ABN  
WHICH IS A CON OF 08/670,160 06/27/1996  
THIS APPLICATION 09/742,990  
IS A CON OF 09/079,600 05/15/1998  
WHICH IS A CON OF 08/671,221 06/27/1996  
PAT 5,754,803



HC



## UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON, D.C. 20231  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/742,990	12/21/2000	Fatih M. Ozluturk	1-2-91.8US

CONFIRMATION NO. 8796

24374  
VOLPE AND KOENIG, PC  
DEPT ICC  
SUITE 400, ONE PENN CENTER  
1617 JOHN F. KENNEDY BOULEVARD  
PHILADELPHIA, PA 19103

RECEIVED  
AM/PM

APR 18 2001

## FORMALITIES LETTER



\*OC000000005953460\*

VOLPE &amp; KOENIG, P.C.

Date Mailed: 04/10/2001

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 130.

*A copy of this notice **MUST** be returned with the reply.*

*ahner 3*  
\_\_\_\_\_  
Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

09/17/2001 NBERHE 00000014 090435 09742990

01 FC:105 130.00 CH